

## **ORDINANCE NO. BL2018-1405**

**An ordinance amending various sections of Chapter 7.08 of the Metropolitan Code of Laws regarding definitions pertaining to beer and alcoholic beverages, beer permit requirements and types, purchase limitations, and location restrictions for obtaining beer permits.**

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Subsection 7.08.010 of the Metropolitan Code of Laws is hereby amended by revising and/or adding the following terms and definitions as indicated, to be arranged alphabetically:

"Authorized wholesaler" means a Tennessee wholesaler holding a valid wholesale permit.

"Manufacturer" means any person who manufactures beer on its premises.

"Manufacturer beer permit" means a permit issued by the metropolitan beer permit board to a beer Manufacturer.

"Wholesale beer permit" means a permit issued by the metropolitan beer permit board to distributors selling beer solely to retailers.

"Wholesaler" means any person who sells beer to retailers.

Section 2. That Subsection 7.08.020 of the Metropolitan Code of Laws is hereby amended by deleting it in its entirety and substituting therefore the following:

7.08.020 - Required.

No person shall sell or manufacture beer within the territorial jurisdiction of the metropolitan government without being the holder of a valid annual permit issued by the metropolitan beer permit board.

Section 3. That Subsection 7.08.030 of the Metropolitan Code of Laws is hereby amended by amending subsection A as set forth below, adding a new provision as new Subsection B, and re-numbering the remaining subsections as necessary:

A. A wholesaler's permit shall be issued to each distributor, manufacturer, brewer or brewery or manufacturer's branch-selling beer directly to retailers.

B. A manufacturer's permit shall be issued to each beer manufacturer engaged in the manufacturing and storage of beer.

Section 4. That Subsection 7.08.090 of the Metropolitan Code is hereby amended by deleting subsection E.3 in its entirety and substituting the following therefore:

3. Notwithstanding any other provision of this section to the contrary, any holder of a validly issued Brewer's Notice from the United States Alcohol and

Tobacco Tax and Trade Bureau shall be exempt from the minimum distance requirements set forth in subsection A. of the section upon the adoption of a resolution, after a public hearing, by the metropolitan council receiving twenty-one affirmative votes approving the exemption of the establishment from said minimum distance requirements. The metropolitan clerk shall notify the board in writing upon the adoption of a resolution approving an exemption from the minimum distance requirements.

Section 5. That Subsection 7.08.090 of the Metropolitan Code is hereby further amended by adding the following new provision as subsection E.7:

7. Notwithstanding any other provision of this section to the contrary, any holder of a validly issued Wholesaler Basic Permit from the United States Alcohol and Tobacco Tax and Trade Bureau shall be exempt from the minimum distance requirements set forth in subsection A. of the section upon the adoption of a resolution, after a public hearing, by the metropolitan council receiving twenty-one affirmative votes approving the exemption of the establishment from said minimum distance requirements. The metropolitan clerk shall notify the board in writing upon the adoption of a resolution approving an exemption from the minimum distance requirements.

Section 6. That Subsection 7.08.180 of the Metropolitan Code is hereby amended by deleting this section in its entirety and substituting therefore the following:

7.08.180 - Limitations on purchases.

No permit holder, except an authorized wholesaler or an authorized manufacturer, may sell or store beer within the metropolitan government area unless such beer has been purchased directly from an authorized wholesaler.

Section 7. Be it further enacted, that this ordinance shall take effect immediately after its passage.

INTRODUCED BY:

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Colby Sledge  
Member of Council